

REMARKS

Claims 1, 4, 5, 7, 8, 10, 16, and 17 are pending in the application.

Information Disclosure Statement

The Examiner alleges that the information disclosure statement filed on January 30, 2009 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document. In view of this, an IDS Letter Submitting Documents from Search Report is attached herewith. Additionally, a copy of JP-2002-113288-A, JP-S56-069375-U, and English abstract thereof have been submitted herewith with a copy of PTO/SB/08.

In view of this, the Examiner is respectfully requested to consider these references and initial and return PTO/SB/08.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 4, 5, 7, and 16 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ando et al. (JP 2001-276484). This rejection is respectfully traversed.

In the Office Action, the Examiner alleges that the Ando reference discloses the washing tub, the ion elution unit, the treatment substance adding portion, a water flow control portion, and an agitator of the claimed invention of the present invention. The Examiner further states that further limitations of the rejected claims are considered to be intended use of the washing machine as taught by Ando and are not further limiting in so far as the structure of the apparatus is concerned.

In view of this, claim 1 has been amended to claim:

a control unit that controls the metal ion adding portion, the treatment substance adding portion, and the water flow controlling portion, such that at least one of the metal ions and the

treatment substance is added to the water in the washing tub and attached to a surface of laundry in a predetermined process in a laundry washing session,

wherein the control unit controls the water flow controlling portion, such that

the predetermined process includes,

first and second powerful swirl periods and a mild swirl period, or

first and second powerful swirl periods and a still period,

the mild swirl period or still period comes after the first powerful swirl period and the second powerful swirl period comes after the mild swirl period or still period, the second powerful swirl period being shorter than the first powerful swirl period, and

a time of the predetermined process is longer when metal ions are added than when no metal ions are added but the treatment substance is added.

The "control unit" is disclosed, for example, in Fig. 1 as the controller 80.

Applicants believe that, by the foregoing amendment, the claimed invention now structurally distinguishes over the Ando reference at least because Ando does not disclose the claimed "control unit," as recited in claim 1.

Claims 4, 5, 7, and 16, dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 103

Claims 8, 10, and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hird (WO 01/71084) in view of Ando. This rejection is respectfully traversed.

In the Office Action, the Examiner alleges that Hird discloses a rotatable washing tub, an unbalance detection portion, an unbalance correcting portion, and an LCD. The Examiner relies on the Ando reference to show that the metal ion adding portion is known in the art.

Further, the Examiner alleges that further limitations of claims 8, 10, and 17 are considered to be intended use of the washing machine as taught by Hird in view of Ando and are not further limiting in so far as the structure of the apparatus is concerned.

In view of this, claim 8 has been amended to claim:

a control unit that controls the metal ion adding portion and the unbalance correcting portion,

wherein the control unit controls the metal ion adding portion to add the antimicrobial metal ions to the water in the washing tub in a predetermined process in a laundry washing session, and

wherein the control unit controls the metal ion adding portion such that the metal ions are added to the water in the washing tub in final rinsing before a squeezing process, and if the unbalance detecting portion detects unbalance in the washing tub during squeezing rotation of the washing tub performed thereafter, the control unit controls the unbalance correcting portion to execute rinsing for correcting uneven spreading of laundry in which, while water having the metal ions added thereto is supplied, agitation is performed.

Applicants believe that, by the foregoing amendment, the claimed invention now structurally distinguishes over Hird in view of Ando at least because Hird and Ando, taken singly or in combination, fail to disclose or suggest the claimed "control unit," as recited in claim 8.

Claim 10, dependent on claim 8, is allowable at least for its dependency on claim 8.

Claim 17 is allowable at least for the similar reasons as stated in the foregoing with regard to claim 8.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

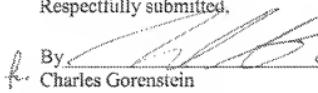
The Examiner is respectfully requested to enter this Amendment After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Amendment After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi Reg. No. 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: August 10, 2009 (Monday)

Respectfully submitted,

By 
(Aug 10 2009)
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant